IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 25TH OCTOBER 2006 / 3RD KARTHIKA 1928

Bail Appl..No. 6155 of 2006()

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CRIME NO.397/2006 OF KALLAMBALAM POLICE STATION

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PETITIONER/ACCUSED:

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1. ANILKUMAR, AGED 24,
   S/O. UPAGUPTHAN, KADAYIL VEEDU,
   MUTHANA, CHAVARACODU.

2. CHANDU, AGED 19, S/O. SUNIL DETH,
   CHARUVILA VEEDU, MUTHANA PO.O.,
   MAVAIKULAM VILLAGE.

3. ABU, AGED 21, S/O. MUHAMMED BASHEER,
   KATTUVILA PUTHENVEEDU, MUTHANA P.O.,
   MAVAIKULAM VILLAGE.

4. DINUSHANKAR, AGED 19,
   S/O. PRAKASH, PUTHENVILA VEEDU,
   MUTHANA P.O., NAVIKULAM VILLAGE.

BY ADV. SRI.R.T.PRADEEP

RESPONDENTS:

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THE STATE OF KERALA, REPRESENTED BY
THE DIRECTOR GENERAL OF PROSECUTION,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR, SRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**J.M.JAMES, J.**

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B.A. No. 6155 of 2006

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Dated this the 25th day of October, 2006

**O R D E R**

The petitioners are accused Nos.1 and 3 to 5, in Crime No.397/2006 of Kallambalam Police Station, for the offence punishable under Sections 143, 147, 148, 452, 323, 324 and 427 I.P.C., read with Section 149 of the Indian Penal Code. It is alleged that on 05/09/2006, at 3 p.m., the accused came in a Tata Sumo car and attacked the members of the recreation club, who were engaged in forming Athapookkalam. The accused have caused damage to the club properties, worth Rs.24,000/-, and also caused injuries to the de facto complainant and another. Hence, the offence.

2. I heard the arguments advanced by both sides. Without entering into any discussions, on the merit of the matter, I direct the petitioners to surrender before the Investigating Officer, who is investigating Crime No.397/2006 of Kallambalam Police Station, on 03/11/2006, between 9.30 a.m

and 10 a.m.

3. The Investigating Officer shall interrogate the petitioners and, thereafter, produce them before the court below.

4. The learned Magistrate shall hear both sides and pass appropriate orders, on merit.

5. However, I make it clear that, if no custodial application is filed by the Investigating Officer, the learned Magistrate may grant bail to the petitioners, on imposing such conditions, which the learned Magistrate deems fit.

**(J.M.JAMES)**
Judge

ms